

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHIGAN HEAD AND SPINE  
INSTITUTE P.C. (Myrtle Spencer), et al.,

Plaintiff,

-vs-

Case No: 20-cv-12265  
Hon: Matthew F. Leitman

PIONEER STATE MUTUAL  
INSURANCE COMPANY,

Defendant,

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**STIPULATED ORDER DISMISSING MEDICARE SECONDARY PAYER  
ACT CLAIM AND REMANDING MATTER TO MACOMB COUNTY  
CIRCUIT COURT**

This matter having come before the Court upon the agreement and stipulation of the parties and this Court being otherwise fully advised upon the premises;

**NOW, THEREFORE,**

**IT IS HEREBY ORDERED** that Count III, Right of Action Under Medicare Secondary Payer Act, of Intervening Plaintiff, Beaumont Health's Amended Intervening Complaint, is hereby dismissed with prejudice and without costs.

**IT IS FURTHER ORDERED**, that since the Medicare Secondary Payer Act Claim is dismissed and there is no longer a federal question for this Court to address

pursuant to 28 USC 1331, this matter is remanded to the Macomb County Circuit Court for further proceedings.

/s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: September 18, 2020

Stipulated and Agreed to by:

/s/ Martin A. Hogg (with consent  
9/17/20 JFF)  
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